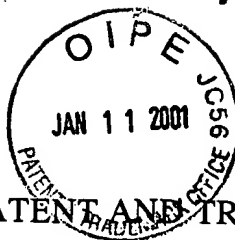


YAO-V04302



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yoshinao Taketomi et al. : Art Unit: 2872
Serial No.: 09/381,528 : Examiner: A. Chang
Filed: January 4, 2000 :
For: OPTICAL DISPLAY :
APPARATUS :

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JAN 12 2001

OFFICE OF PETITIONS

PETITION TO THE COMMISSIONER UNDER 37 C.F.R. § 1.181 FOR
CONSIDERATION OF INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, DC 20231

MAY 15 2001

TECHNOLOGY CENTER 2800
SPECIAL PROGRAM CENTER

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This Petition is being filed in response to an Office Communication dated January 4, 2001 regarding the above-identified application.

The purpose of this Petition is to obtain consideration of references which were properly submitted to the United States Patent and Trademark Office and for which consideration has been presently refused.

On February 22, 2000, Applicants submitted an Information Disclosure Statement. While most of the references submitted with the Information Disclosure Statement were considered, three references, namely 61-144690, 6-69964 and 2598406 were not considered. For these references, Applicants provided a PCT International Search Report which indicated the categories of those references. No other abstracts or translations were provided for those references.

By Communication from the PTO dated January 4, 2001, Applicants were advised that the three references cited above would not be considered because there was no "concise explanation of the relevance" of those references.

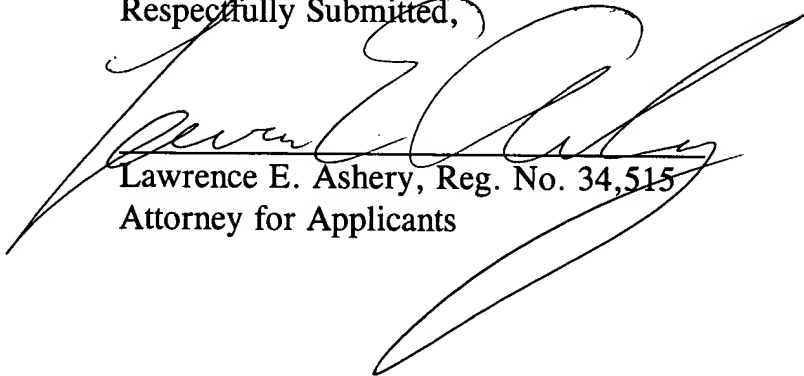
The United States Patent and Trademark Office was wrong to deny consideration of those references. As indicated by Processing of Information Disclosure Statements, 1138 TMOG 39:

Where the information listed is not in the English language, but was cited in a search report by a foreign patent office in a counterpart foreign application, the requirement for a concise explanation of relevance can be satisfied by submitting an English language version of the search report which indicates the degree of relevance found by the foreign office.

In the present application, Applicants provided to the USPTO an English language version of the search report. Thus, Applicants have satisfied the requirement "for a concise explanation of relevance."

For the reasons set forth above, consideration of the three references which have previously been denied consideration is respectfully requested.

Respectfully Submitted,



Lawrence E. Ashery, Reg. No. 34,515
Attorney for Applicants

LEA:aw

Dated: January 9, 2001

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The Assistant Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. 18-0350 of any fees associated with this communication.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on:

January 9, 2001
